

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

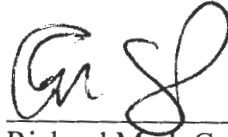
Annie Eison,)	
)	
Plaintiff,)	Civil Action No. 4:18-1139-RMG
)	
vs.)	
)	
Nancy A. Berryhill, Acting Commissioner)	
of Social Security,)	
)	ORDER
Defendant.)	
)	
)	
)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on February 28, 2019, recommending that the decision of the Commissioner be reversed and remanded to the agency because the Administrative Law Judge failed to identify an apparent conflict between the DOT and the vocational expert's testimony and to have the vocational expert provide an explanation regarding how the Plaintiff would be able to perform the jobs identified in light of her impairments. (Dkt. No. 16). The Commissioner has advised the Court she does not intend to file an objection to the R & R. (Dkt. No. 17).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court

ADOPTS the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
March 12, 2019